

**IN THE UNITED STATES BANKRUPTCY COURT  
DISTRICT OF PUERTO RICO**

IN RE: **LAURA MARGARITA SERRANO SANTANA**  
SSN xxx-xx-2704

CASE NO: **23-00797-ESL**

Debtor(s)

**Chapter 13**

- AMENDED -

**TRUSTEE'S OBJECTION TO PROPOSED PLAN CONFIRMATION UNDER SECTION 1325**

**\*ATTORNEY FEES AS PER R 2016(b) STATEMENT:**

Attorney of Record: **ROBERTO FIGUEROA CARRASQUILLO\***

Total Agreed: **\$4,000.00**      Paid Pre-Petition: **\$535.00**      Outstanding (Through the Plan): **\$3,465.00**

**\*TRUSTEE'S POSITION RE CONFIRMATION UNDER U.S.C. §1325**

**Debtor's/s' Commitment Period:** ☐ Under Median Income 36 months    ☒ Above Median Income 60 months §1325(b)(1)(B)  
☐ The Trustee cannot determine debtor's/s' commitment period at this time.    Projected Disposable Income: **\$4,766.40**

**Liquidation Value: \$6.00    Estimated Priority Debt: \$0.00**

**If the estate were liquidated under Chapter 7, nonpriority unsecured claims would be paid approximately \$6.00**

With respect to the (amended) Plan date: **Sep 25, 2023 (Dkt 23)**      **Plan Base: \$18,981.00**

**The Trustee:**    ☐ **DOES NOT OBJECT**    ☒ **OBJECTS**    Plan Confirmation    Gen. Uns. Approx. Dist.: 22 %

**The Trustee objects to confirmation for the following reasons:**

**[1325(a)(5)] Plan fails to comply with required treatment of allowed Secured Claims.**

**- 1325 (a)(5)(A): Secured creditor(s) provided for in the plan has/have NOT ACCEPTED the same.**

Hacienda San Jose filed a secured claim (no. 5). The plan fails to include a provision for the payment of such debt. On 7/10/2023 Debtor filed Adversary case 23-00055. 21 Rule 7001(2) to determine the validity of the extent of lien against Hacienda San Jose Homeowners Association. This matter must be resolved before the confirmation of the plan.

Creditor Firstbank, has not accepted the terms of section 8.4 to include post petition arrears.

**[1325(a)(6)] Payment Default Feasibility – Debtor(s) is in default with proposed plan payments, to the trustee and/or creditor(s).**

Creditor Firstbank file a Motion to dismiss, for debtors failure to make payments post petition.

**\*OTHER COMMENTS / OBJECTIONS**

Report in Compliance with order docket no. 28

**CERTIFICATE OF SERVICE:** The Chapter 13 Trustee herewith certifies that a copy of this motion has been served via first class mail on the same date it is filed to: the DEBTOR(S), and to her/his/their attorney throught CM-ECF notification system.

/s/ Juliel Perez, Esq.

Last Docket Verified: 30    Last Claim Verified: 10    CMC: